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OFFICE OF PETITIONS

In re Application of	:	
Paul Colfer, et al.	:	
Application No. 10/533,291	:	ON PETITION
Filed: February 7, 2006	:	
Attorney Docket No. 200316610-2	:	

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed July 29, 2009, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned for failure to timely file a reply within the meaning of 37 CFR 1.113 to the final Office action of October 20, 2008. The proposed reply required for consideration of a petition to revive must be a Notice of Appeal (and appeal fee required by 37 CFR 41.20(b)(2), an amendment that *prima facie* places the application in condition for allowance, a Request for Continued Examination and submission (37 CFR 1.114), or the filing of a continuing application under 37 CFR 1.53(b). See MPEP 711.03(c)(III)(A)(2). No extensions of time pursuant to the provisions of 37 CFR 1.136(a) was obtained. Accordingly, the date of abandonment of this application is January 21, 2009. The Notice of Abandonment was mailed July 14, 2009.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of a Request for Continued Examination (RCE) and fee of \$810, and the submission required by 37 CFR 1.114; (2) the petition fee of \$1,620; and (3) a proper statement of unintentional delay.

It is not apparent whether the person signing the statement of unintentional delay was in a position to have firsthand or direct knowledge of the facts and circumstances of the delay at issue. Nevertheless, such statement is being treated as having been made as the result of a reasonable inquiry into the facts and circumstances of such delay. See 37 CFR 10.18(b) and Changes to Patent Practice and Procedure; Final Rule Notice, 62 Fed. Reg. 53131, 53178

(October 10, 1997), 1203 Off. Gaz. Pat. Office 63, 103 (October 21, 1997). In the event that such an inquiry has not been made, petitioner must make such an inquiry. If such inquiry results in the discovery that it is not correct that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional, petitioner must notify the Office.

There is no indication that the person signing the petition was ever given a power of attorney to prosecute the application.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-2991.

This application is being referred to Technology Center AU 2815 for processing of the RCE and for appropriate action by the Examiner in the normal course of business on the amendment submitted in accordance with 37 CFR 1.114.

A handwritten signature in cursive script, appearing to read "Terri Johnson", with a long horizontal flourish extending to the right.

Terri Johnson
Petitions Examiner
Office of Petitions

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, Colorado 80527-2400

PATENT APPLICATION

ATTORNEY DOCKET NO. 200316610-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Colfer et al.

Confirmation No.: 6028

Application No.: 10/533,291

Examiner: A. Ho

Filing Date: 02/07/2006

Group Art Unit: 2815

Title: ELECTRONIC COMPONENT WITH AT LEAST ONE N-OR P-DOPED PORTION

Mail Stop RCE
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION (RCE) 37 CFR 1.114

Subsection (b) of 35 U.S.C. 132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

This is a Request for Continued Examination (RCE) under CFR 1.114 of the above-identified application.

NOTE: 37 CFR 1.114 is effective on May 20, 2000. If the above- application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under CFR 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 off. Gaz. Pat. Office

Submission under 37 CFR 1.114

☐ Previously submitted

☐ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).

☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

☐ Other _____

☒ Enclosed

☒ Amendment/Reply

☐ Affidavit(s)/Declaration(s)

☐ Information Disclosure Statement (IDS)

☐ Other _____

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Miscellaneous

☐ Suspension of action is requested under 37 CFR 1.103(c) for a period of _____ months.
The fee for this Suspension is (37 CFR 1.17(i)) \$130.00

☐ Other _____

**CONTINUED EXAMINATION TRANSMITTAL
(RCE) (37 CFR 1.114) (continued)**

PATENT APPLICATION

ATTORNEY DOCKET NO. 200316610-2

☒ RCE filing fee \$810.00

☐ A Petition for Extension of Time

☐ 1st Month
\$130

☐ 2nd Month
\$490

☐ 3rd Month
\$1110

☐ 4th Month
\$1730

☒ Please charge to Deposit Account 08-2025 the sum of \$ 810. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees.

Respectfully submitted,

Colfer et al.

By: /Edmond A. DeFrank/

Edmond A. DeFrank

Attorney/Agent for Applicant(s)

Reg No. : 37,814

Date : July 29, 2009

Telephone : 818.885.1575